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BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

SUSAN BITTER SMITH - Chairman
BOB STUMP
BOB BURNS
DOUG LITTLE
TOM FORESE

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Arizona Corporation Commission
DOCKETED

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[Signature]

IN THE MATTER OF THE APPLICATION OF
THE UNITED STATES DEPARTMENT OF THE
INTERIOR/BUREAU OF INDIAN AFFAIRS TO
REPLACE AN EXISTING AT-GRADE CROSSING
OF THE BNSF RAILWAY AND TO CONSTRUCT
A FOUR SPAN BRIDGE OVER THE BNSF
RAILWAY TRACKS AND THE RIO PUERCO
RIVER IN NAVAJO, APACHE COUNTY,
ARIZONA, USDOT NO. 025011J.

DOCKET NO. RR-02635B-15-0300

PROCEDURAL ORDER
(Grants Email Service)

BY THE COMMISSION:

On August 19, 2015, the United States Department of the Interior/Bureau of Indian Affairs ("USBIA") filed with the Arizona Corporation Commission ("Commission") a request for approval for the USBIA to replace an existing at-grade crossing of the BNSF Railway ("Railway") with the construction of a four span bridge overpass that will span both the tracks of the Railway and the Rio Puerco River in Navajo, Apache County, Arizona at USDOT No. 025011J ("Application").

On September 22, 2015, by Procedural Order, a hearing on the Application was scheduled to commence on December 10, 2015.

On October 14, 2015, the USBIA filed four affidavits of publication of public notice concerning the hearing on the Application in this proceeding.

On October 26, 2015, counsel for the Railway filed notice of his appearance in the proceeding and exercised the option of the Railway and its counsel to receive service of all filings in this docket, including all filings by the parties and all Procedural Orders and Recommended Opinions and Orders/Recommended Orders issued by the Commission's Hearing Division via his designated email address rather than via U.S. Mail. Counsel for the Railway has exercised this option, pursuant to the Procedural Order issued on September 22, 2015, by docketing a hard copy of his Consent to Email Service and by sending an email containing his name on behalf of the Railway and the docket number

1 for this matter, to HearingDivisionServicebyEmail@azcc.gov from its designated email, which now
2 appears on the service list for this matter in addition to his address for U.S. Mail.

3 Counsel's request on behalf of the Railway for Consent to Email Service should be approved.

4 IT IS THEREFORE ORDERED that the request by counsel on behalf of the BNSF Railway's
5 request to receive service of all filings in this docket, including all filings by parties and all
6 Procedural Orders and Recommended Opinions and Orders/Recommended Orders issued by the
7 Commission's Hearing Division, via its designated email address rather than via U.S. Mail, is hereby
8 approved.

9 IT IS FURTHER ORDERED that an election by counsel for a party to receive service of all
10 filings in this matter via email does not change the requirement that all filings with the Commission's
11 Docket Control must be made in hard copy and must include an original and 13 copies.

12 IT IS FURTHER ORDERED that the Ex Parte Rule (A.A.C. R14-3-113 – Unauthorized
13 Communications) applies to this proceeding and shall remain in effect until the Commission's
14 Decision in this matter is final and non-appealable.

15 IT IS FURTHER ORDERED that the presiding Administrative Law Judge may rescind, alter,
16 amend, or waive any portion of this Procedural Order either by subsequent Procedural Order or by
17 ruling at hearing.

18 DATED this 28th day of October, 2015.

19
20 
21 MARC E. STERN
ADMINISTRATIVE LAW JUDGE

22
23 Copies of the foregoing mailed/delivered
this 28 day of October, 2015 to:

24 United States Department of the Interior
25 Bureau of Indian Affairs
26 P.O. Box 1060
27 Gallup, New Mexico 87306
28

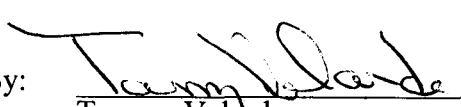
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